

tofore existed; continuing in office the present trustees until the next regular trustee election; providing for election of trustees and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees full powers granted under general laws and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to levy tax to pay current expenses for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of the board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

And find the same correctly engrossed.

COVEY, Vice-Chairman.

Committee Room,

Austin, Texas, February 25, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 86, A bill to be entitled "An Act creating the Sayers Independent School District; describing the boundaries thereof; providing a board of trustees for its government; granting supervising exemptions for it; investing it with power to make oil leases; applying general laws to it; retaining its liabilities, assets and tax rate, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 25, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 217, "An Act to protect life and limb by requiring safeguarding of all passenger elevators within the State of Texas, providing for approval of safety devices and fixing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 25, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bill, to whom was referred

H. B. No. 57, "An Act creating an additional district court for Dallas county; defining its jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

THIRTY-THIRD DAY.

(Continued.)

(Thursday, February 26, 1925.)

The House met at 9 o'clock a. m. and was called to order by Speaker Satterwhite.

HOUSE BILL NO. 68 ON ENGROSSMENT.

The House resumed consideration of pending business, same being

H. B. No. 68, A bill to be entitled "An Act to amend Chapter 26, Acts of the Regular Session of the Thirty-second Legislature, as amended in Chapter 36 of the Acts of the Thirty-fourth Legislature, Regular Session, providing for the election of a county board of trustees in each county of the State; prescribing the qualifications, term of office and method of election of county trustees, defining the duties and powers of the county board of trustees and of subordinate school officials employed by the said board in the administration of the public free school under their jurisdiction, repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill having heretofore been read second time, with (committee) amendment by Mr. Chitwood, and motion by Mr. Dale to postpone further consideration of the bill indefinitely, pending.

Mr. Graves offered the following amendment to the amendment:

Amend House bill No. 68, page 5, by striking out Section 6 and inserting in lieu thereof the following:

"The qualified voters of all common school districts and the independent districts having less than five hundred scholastic population in each county of

this State having three thousand scholastic population, as shown by the preceding scholastic census, shall, at an election held on the first Saturday in April each even year elect a county superintendent of public instruction; provided said election is held at the same time, place and manner in every respect as the election of county trustees, provided for in Section 2 of this act. The county superintendent shall be a person who holds a State teacher's permanent first grade or permanent certificate, who has had prior to his election five years of successful teaching experience in Texas. He shall be provided by the commissioners court with an office in the court house and with necessary office fixtures and furniture. The county superintendent shall hold his office for a term of two years and until his successor is elected and qualified. He shall qualify and enter upon the duties of his office on the first day of September of each even year, except for the year 1926, and then he shall enter upon the duties of his office January 1, 1927, and shall serve until September 1, 1928, or until his successor is elected and qualified. He shall receive an annual salary paid in twelve equal warrants, drawn on the available school funds apportioned to the districts under the county superintendent's supervision. His salary shall be set by the county trustees and shall not exceed \$3200 for any one year; provided the county trustees may make further provisions as it deems necessary for office and traveling expenses for the county superintendent and the assistance he may have; provided such expenditures shall not exceed five hundred dollars per annum."

Mr. Pope offered the following substitute for the amendment to the amendment:

Substitute amendment to House bill No. 68, page 5, by striking out all of Section 6.

Mr. Barker moved the previous question on the pending amendments, motion to postpone and the engrossment of the bill, and the main question was ordered.

(Mr. Hall in the chair)

Question first recurring on the substitute amendment by Mr. Pope, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—67.

Albritton.	Justice.
Amsler.	Kayton.
Atkinson.	King.
Avis.	Laird.
Baker of Orange.	Lane of Hamilton.
Baker of Panola.	Low.
Barker.	Mankin.
Bean.	McBride.
Bedford.	McGill.
Bird.	Merritt.
Boggs.	Moore.
Bonham.	Parish.
Cade.	Pavlica.
Carter.	Pearce.
Coffey.	Perdue.
Coody.	Pool.
Covey.	Pope.
Cox of Lamar.	Renfro.
Cox of Navarro.	Rogers.
Cummings.	Sanford.
Dale.	Shearer.
Davis of Wood.	Sheats.
DeBerry.	Simmons.
Dielmann.	Sinks.
Enderby.	Sparks.
Farrar.	Stautzenberger.
Fields.	Stevens.
Graves.	Taylor.
Gray.	Thompson.
Hall.	Veatch.
Harper.	Walker.
High.	Wallace.
Hollowell.	Webb.
Hoskins.	Westbrook.

Nays—52.

Acker.	Kittrell.
Alexander	Loftin.
of Bastrop.	Maxwell.
Alexander	McDougald.
of Limestone.	McFarlane.
Barron.	McNatt.
Bartlett.	Montgomery.
Bobbitt.	Nicholson.
Brown.	Petsch.
Bryant.	Poage.
Chitwood.	Powell.
Conway.	Raymer.
Daniels.	Rice.
Donnell.	Robinson.
Downs.	Rowell.
Dunn of Falls.	Runge.
Dunn of Hopkins.	Smyth.
Durham.	Stell.
Faulk.	Stevenson.
Finlay.	Storey.
Florence.	Stout.
Foster.	Strong.
Hagaman.	Tomme.
Harman.	Wells.
Kemble.	Wester.
Kenyon.	Wilson.
Kinnear.	Young.

Absent.

Bateman.	Lipscomb.
Blount.	Masterson.
Davis of Dallas.	McDonald.
Dinkle.	McKean.
Dunlap.	Purl.
Frnka.	Rawlins.
Houston.	Rowland.
Hull.	Simpson.
Irwin.	Smith of Nueces.
Jacks.	Smith of Travis.
Jasper.	Teer.
Johnson.	Wade.
Jones.	Williamson.
Jordan.	Woodruff.
Lane of Harrison.	

(Speaker in the chair.)

Question then recurring on the amendment to the (committee) amendment as substituted, yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—65.

Albritton.	King.
Atkinson.	Laird.
Avis.	Lane of Hamilton.
Baker of Orange.	Low.
Baker of Panola.	Mankin.
Bateman.	McBride.
Bean.	Merritt.
Bedford.	Moore.
Bird.	Parish.
Boggs.	Pavlica.
Carter.	Pearce.
Coffey.	Perdue.
Coody.	Pool.
Covey.	Pope.
Cox of Lamar.	Renfro.
Cummings.	Rogers.
Dale.	Rowland.
Davis of Dallas.	Sanford.
Davis of Wood.	Shearer.
DeBerry.	Sheats.
Dielmann.	Sinks.
Downs.	Sparks.
Farrar.	Stautzenberger.
Fields.	Stell.
Graves.	Stevens.
Gray.	Taylor.
Hall.	Thompson.
Harper.	Veatch.
High.	Walker.
Hollowell.	Webb.
Hoskins.	Wester.
Justice.	Williamson.
Kayton.	Wilson.

Nays—58.

Acker.	Amsler.
Alexander	Barker.
of Bastrop.	Barron.
Alexander	Bartlett.
of Limestone.	Bobbitt.

Bonham.	Maxwell.
Brown.	McDougald.
Bryant.	McFarlane.
Cade.	McGill.
Chitwood.	McNatt.
Conway.	Montgomery.
Cox of Navarro.	Nicholson.
Daniels.	Petsch.
Donnell.	Poage.
Dunn of Falls.	Powell.
Dunn of Hopkins.	Raymer.
Durham.	Rice.
Enderby.	Robinson.
Faulk.	Rowell.
Finlay.	Simmons.
Florence.	Smyth.
Foster.	Stevenson.
Hagaman.	Storey.
Harman.	Stout.
Kemble.	Strong.
Kenyon.	Tomme.
Kinnear.	Wells.
Kittrell.	Westbrook.
Lipscomb.	Woodruff.
Loftin.	Young.

Present—Not Voting.

Runge.

Absent.

Blount.	Lane of Harrison.
Dinkle.	Masterson.
Dunlap.	McDonald.
Frnka.	McKean.
Houston.	Purl.
Hull.	Rawlins.
Irwin.	Simpson.
Jacks.	Smith of Nueces.
Jasper.	Smith of Travis.
Johnson.	Teer.
Jones.	Wade.
Jordan.	Wallace.

Question then recurring on the (committee) amendment as amended, yeas and nays were demanded.

The (committee) amendment as amended was then adopted by the following vote:

Yeas—91.

Acker.	Bird.
Albritton.	Bobbitt.
Alexander	Boggs.
of Bastrop.	Bryant.
Alexander	Chitwood.
of Limestone.	Coffey.
Amsler.	Conway.
Avis.	Coody.
Baker of Orange.	Covey.
Baker of Panola.	Cox of Lamar.
Barker.	Cox of Navarro.
Barron.	Cummings.
Bartlett.	Dale.
Bateman.	Daniels.
Bean.	Davis of Dallas.
Bedford.	Davis of Wood.

Dielmann.	Petsch.
Donnell.	Poage.
Downs.	Pope.
Dunn of Falls.	Powell.
Enderby.	Raymer.
Faulk.	Robinson.
Fields.	Rogers.
Finlay.	Rowell.
Florence.	Rowland.
Foster.	Runge.
Gray.	Sanford.
Hagaman.	Shearer.
Hall.	Simmons.
Harman.	Sinks.
Harper.	Smyth.
High.	Sparks.
Justice.	Stell.
Kayton.	Stevens.
Kemble.	Stevenson.
Kenyon.	Stout.
Kinnear.	Strong.
Laird.	Thompson.
Lane of Hamilton.	Tomme.
Loftin.	Walker.
Maxwell.	Wallace.
McDougald.	Webb.
McFarlane.	Wells.
Montgomery.	Williamson.
Nicholson.	Wilson.
Parish.	Woodruff.
Pavlica.	Young.
Pearce.	

Nays—24.

Atkinson.	McBride.
Brown.	McGill.
Cade.	McNatt.
Carter.	Merritt.
DeBerry.	Renfro.
Farrar.	Rice.
Graves.	Sheats.
Hollowell.	Stautzenberger.
Hoskins.	Storey.
King.	Veatch.
Kittrell.	Westbrook.
Low.	

Absent.

Blount.	Mankin.
Bonham.	Masterson.
Dinkle.	McDonald.
Dunlap.	McKean.
Dunn of Hopkins.	Moore.
Durham.	Perdue.
Frnka.	Pool.
Houston.	Purl.
Hull.	Rawlins.
Irwin.	Simpson.
Jacks.	Smith of Nueces.
Jasper.	Smith of Travis.
Johnson.	Taylor.
Jones.	Teer.
Jordan.	Wade.
Lane of Harrison.	Wester.
Lipscomb.	

Question then recurring on the motion to postpone further consideration

of the bill indefinitely, yeas and nays were demanded.

The motion to postpone prevailed by the following vote:

Yeas—70.

Albritton.	Kayton.
Atkinson.	King.
Avis.	Kittrell.
Baker of Orange.	Laird.
Baker of Panola.	Lane of Hamilton.
Barker.	Low.
Bateman.	Mankin.
Bean.	McBride.
Bedford.	McGill.
Bird.	Merritt.
Brown.	Pavlica.
Cade.	Pearce.
Carter.	Perdue.
Coffey.	Poage.
Coody.	Pool.
Covey.	Renfro.
Cox of Lamar.	Rogers.
Cummings.	Rowland.
Dale.	Sanford.
Davis of Dallas.	Shearer.
Davis of Wood.	Sheats.
DeBerry.	Simmons.
Dielmann.	Sinks.
Downs.	Sparks.
Dunlap.	Stell.
Enderby.	Stevens.
Farrar.	Storey.
Fields.	Taylor.
Graves.	Thompson.
Gray.	Veatch.
Hall.	Walker.
Harper.	Wallace.
High.	Webb.
Hollowell.	Westbrook.
Hoskins.	Wester.
Justice.	Williamson.

Nays—52.

Acker.	Foster.
Alexander	Hagaman.
of Bastrop.	Harman.
Alexander	Kemble.
of Limestone.	Kenyon.
Amsler.	Kinnear.
Barron.	Lipscomb.
Bartlett.	Loftin.
Bobbitt.	Maxwell.
Boggs.	McDougald.
Bonham.	McFarlane.
Bryant.	McNatt.
Chitwood.	Montgomery.
Conway.	Parish.
Cox of Navarro.	Petsch.
Daniels.	Pope.
Donnell.	Powell.
Dunn of Falls.	Raymer.
Durham.	Rice.
Faulk.	Robinson.
Finlay.	Rowell.
Florence.	Runge.

Smyth.	Wells.
Stautzenberger.	Wilson.
Stevenson.	Woodruff.
Strong.	Young.
Tomme.	

Present—Not Voting.

Stout.

Absent.

Blount.	Masterson.
Dinkle.	McDonald.
Dunn of Hopkins.	McKean.
Frnka.	Moore.
Houston.	Nicholson.
Hull.	Purl.
Irwin.	Rawlins.
Jacks.	Simpson.
Jasper.	Smith of Nueces.
Johnson.	Smith of Travis.
Jones.	Teer.
Jordan.	Wade.
Lane of Harrison.	

Mr. Dale moved to reconsider the vote by which the bill was postponed indefinitely, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75.

Albritton.	High.
Amsler.	Hollowell.
Atkinson.	Hoskins.
Avis.	Justice.
Baker of Orange.	Kayton.
Baker of Panola.	Kenyon.
Barker.	King.
Barron.	Kittrell.
Bateman.	Laird.
Bean.	Lane of Hamilton.
Bedford.	Low.
Bird.	McBride.
Brown.	McGill.
Cade.	Merritt.
Carter.	Pavlica.
Coffey.	Pearce.
Coody.	Perdue.
Covey.	Pool.
Cox of Lamar.	Pope.
Cummings.	Rice.
Dale.	Robinson.
Davis of Dallas.	Rogers.
Davis of Wood.	Rowland.
DeBerry.	Runge.
Dielmann.	Sanford.
Downs.	Shearer.
Dunlap.	Sheats.
Enderby.	Simmons.
Farrar.	Sinks.
Graves.	Sparks.
Gray.	Stautzenberger.
Hall.	Stell.
Harper.	Stevens.

Storey.	Wallace.
Taylor.	Webb.
Thompson.	Westbrook.
Veatch.	Williamson.
Walker.	Wilson.

Nays—42.

Acker.	Loftin.
Alexander	Mankin.
of Bastrop.	Maxwell.
Alexander	McDougald.
of Limestone.	McFarlane.
Bartlett.	McNatt.
Boggs.	Montgomery.
Bonham.	Moore.
Bryant.	Parish.
Chitwood.	Petsch.
Conway.	Poage.
Cox of Navarro.	Powell.
Daniels.	Raymer.
Donnell.	Renfro.
Dunn of Falls.	Rowell.
Faulk.	Smyth.
Finlay.	Stevenson.
Florence.	Stout.
Foster.	Strong.
Harman.	Tomme.
Kemble.	Wester.
Kinnear.	Woodruff.
Lipscomb.	Young.

Absent.

Blount.	Jordan.
Bobbitt.	Lane of Harrison.
Dinkle.	Masterson.
Dunn of Hopkins.	McDonald.
Durham.	McKean.
Fields.	Nicholson.
Frnka.	Purl.
Hagaman.	Rawlins.
Houston.	Simpson.
Hull.	Smith of Nueces.
Irwin.	Smith of Travis.
Jacks.	Teer.
Jasper.	Wade.
Johnson.	Wells.
Jones.	

ADDRESS BY MADAME SCHUMANN-HEINK.

In accordance with a resolution heretofore adopted by the House, inviting Madame Schumann-Heink to visit the Legislature and an invitation extended to the Senate to be present on the occasion, Madame Schumann-Heink, escorted by members of the American Legion, and the Honorable Senate, at 10 o'clock a. m. were announced at the bar of the House, and being admitted, the Honorable Senate occupied seats along the aisle already prepared for them; Lieutenant Governor Miller and Madame

Schumann-Heink and party being escorted to the Speaker's stand.

Speaker Satterwhite presented Hon. George Purl of Dallas county, who introduced Hon. Mark McGee, State Commander of the American Legion, who in turn introduced Madame Schumann-Heink.

Madame Schumann-Heink then addressed the House.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 32, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1925, and declaring an emergency."

H. B. No. 210, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Cochran county, and declaring an emergency," with amendments.

H. B. No. 267, A bill to be entitled "An Act creating and incorporating the Draw Independent School District in Lynn county, Texas, out of territory now comprising the Draw Common School District No. 8 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Draw Common School District No. 8, and the assumption of all such obligations and indebtedness by the Draw Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title to all property in said district be divested out of the Draw Common School District No. 8 and vested in Draw Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be gov-

erned by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

H. B. No. 293, A bill to be entitled "An Act to create the Dry Lake Independent School District situated in Dickens county, Texas; providing for a board of seven trustees; defining the powers of said board of trustees; validating all outstanding indebtedness and providing that said indebtedness shall be assumed by Dry Lake Independent District; validating and continuing in force taxes heretofore levied; vesting the title of certain school property in the board of trustees of the Dry Lake Independent School District; placing the district in all other matters under the provisions of the general law, and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms, repealing all conflicting laws, and declaring an emergency."

H. B. No. 295, A bill to be entitled "An Act to amend Sections 5, 11 and 13, of Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and adding thereto new Sections 13a, 13b, 13c, 13d, 13e, 13f, 13g, 13h, 13i, 13j, 13k, 13l, 13m and 13n, as follows: by amending Section 5, prescribing the qualifications, powers and duties of the Texas State Board of Examiners in Optometry; by amending Section 11 to provide for applications for licenses, prescribing qualifications of applicants for licenses, registration and examination of applicants, issuance, recording and registration of licenses and certificates, and fees therefor; providing minimum and maximum standard of education for applicants, and empow-

ering board to regulate this standard; providing for the issuance of licenses by reciprocity with other States and fees therefor; by amending Section 13, providing for the revocation of licenses for cause, and the manner in which said licenses may be revoked by the board, giving right of appeal from decision of board to the district court of Travis county; providing that district and county attorneys, or Attorney General of the State in all court actions when authorized by the board shall act; making it the duty of county clerks of each county to note revocations of license in the optometry register of the county, upon notice by publication; making provision for reinstatement of licenses; prescribing duty of county clerks to make entries in optometry registers of expiration of license because of death of an optometrist; by adding Section 13a, providing for an annual renewal fee and the price therefor, and declaring the license void for non-payment thereof; by adding Section 13b, prescribing the duties of board as to issuance and refusal of annual renewal certificates; by adding Section 13c, defining 'itinerant,' and prescribing regulation and fees for issuance of 'itinerant' certificates; by adding Section 13d, defining and construing the words 'ascertaining' and 'measuring the powers of vision of the human eye,' as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13e, defining and construing the words 'and fitting lenses or prisms,' as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13f, defining and construing the words 'a bill of purchase or sale,' as used in Section 14, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13g, defining and construing the words 'persons who sell spectacles and eye-glasses as merchandise,' as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13h, defining and construing the words 'and those who fit glasses for their customers,' as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13i, providing for and defining certain violations of this act in the interest of public health, welfare, safety and comfort and making these violations unlawful and providing penalties therefor; by adding Section

13j, allowing an optical mechanic to do the mechanical work of manufacturing ophthalmic lenses and the sale thereof to licensed prescriber of glasses and defining ophthalmic lenses, and allowing sale of ready-to-wear spectacles and eye-glasses, as merchandise at wholesale to merchants for the purpose of resale as merchandise; by adding Section 13k, defining and construing the words 'other grossly unprofessional, or dishonorable conduct of a character likely to deceive or defraud the public,' as used in Section 12, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and for the purpose of subdivision; providing for conclusive evidence; by adding Section 13l, prescribing that the singular number shall include both singular and plural and vice versa, that the masculine gender shall comprehend also the feminine gender and vice versa; by adding Section 13m, making it unlawful for any person in this State to give or cause to be given, in any manner whatsoever, any spectacles and any eye-glasses, as a prize or a premium, as an inducement to sell any book, paper or magazine, or to sell subscriptions therefor, or any work of literature or art, or any item of merchandise whatsoever; by adding Section 13n, providing that if any part is held unconstitutional or inoperative, it shall not invalidate any other part, and that if any exception or limitation upon any general provision shall be held unconstitutional, or invalid, the general provisions shall stand effective and valid, and to declare an emergency."

H. B. No. 299, A bill to be entitled "An Act to amend Chapter 107, Section 3 of the Local and Special Laws of the Thirty-fifth Legislature, regulating the method of taking or catching fish in the public fresh waters of Tom Green county, State of Texas, and providing for violations, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 354, A bill to be entitled "An Act to amend Chapter 110, Local

and Special Laws of the Thirty-third Legislature, Regular Session, being an act entitled 'An Act creating the Pearsall Independent School District in Frio county, Texas, including the town of Pearsall, incorporated for school purposes under general laws of 1891; providing that bonded indebtedness created by said town of Pearsall shall not be a charge upon the new territory added thereto by this act, and no tax shall be levied on said new territory for payment of said indebtedness; providing for a board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof, and declaring an emergency,' by amending Section 1 of the said act so that it shall hereafter read as herein set out and by adding thereto Section 6a, providing that an election may be held to determine as to the assumption of outstanding indebtedness of territory incorporated into the Pearsall Independent District; validating current contracts for the maintenance of the schools of the districts included in the said Pearsall Independent District, and declaring an emergency."

H. B. No. 38, A bill to be entitled "An Act making provision for a better system of schools in the various counties of this State; providing for rural high school districts and elementary school districts; providing the method of forming such districts and providing the manner in which school districts may be included in such rural high school districts and elementary school districts; providing for the necessary taxation and funds to carry out such purposes, and declaring an emergency."

H. B. No. 374, A bill to be entitled "An Act making it lawful for the commissioners court of McCulloch, San Saba and Lampasas counties to pay out of the general fund of such counties bounties for the destruction of predatory animals; providing that on petition of two hundred freeholders the commissioners court of such counties may provide amount of bounty; and prescribing manner of payment, and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act creating the Paradise Independent School District in Wise county, Texas; defining its metes and bounds; vesting it with the rights, powers and duties of districts incorporated for school purposes only under the general laws of the State of Texas; providing

for the assumption of the outstanding bonds of the Paradise Common School District, and declaring an emergency," with amendments.

H. B. No. 376, A bill to be entitled "An Act to amend Chapter 63, Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, same being an act creating the Dixon Independent School District in Hunt county, Texas, by redefining its boundaries and by adding thereto Sections 2a, 2b, 2c, and 2d; authorizing said Dixon Independent School District to issue bonds under the provisions of the general law for the purpose of providing funds to be expended in payment of accounts legally contracted in constructing and equipping public free school buildings in said district, or for the purpose of purchasing, constructing, repairing or equipping public free school buildings within the limits of said district and the purchase of the necessary sites therefor; validating bond issue for said purposes heretofore authorized by a majority of the property taxpaying voters of said district, and declaring an emergency."

H. B. No. 394, A bill to be entitled "An Act to amend Article 1399 of the Revised Statutes of Texas, by providing that the assessor of taxes and collector of taxes in counties having within their boundaries a city or cities, other than the county seat, having a population of 20,000 or more, may maintain a branch office in said city or cities with one or more deputies, and providing for the payment of expenses for maintaining said office," with amendments.

H. B. No. 413, A bill to be entitled "An Act to establish and redefine and rename Common Consolidated District No. 1 of Hardeman county, Texas; to validate all elections heretofore held in said district for local taxes for the maintenance of schools in said district; to validate and assume the payment of all bonds outstanding against said district and providing that all taxes and bonds heretofore authorized by said Common Consolidated District No. 1 shall remain in full force and effect; that this district as redefined and established shall be known as the Bailey High Common Consolidated District No. 1 of said Hardeman county, Texas; providing that said district shall be liable for its pro-rata part of any outstanding bonded indebtedness upon a part of any territory taken from any other school district; providing that said Bailey High Common Consolidated School District No. 1 in Hardeman county, Texas, shall be under the general laws of the State of

Texas with respect to common consolidated districts when not in conflict with this act and declaring an emergency," with amendments.

H. B. No. 415, A bill to be entitled "An Act creating and incorporating Goodlett Independent School District in Hardeman county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Goodlett Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Common School District No. 32 in Hardeman county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 32; providing that the title to all property now vested in Common School District No. 32 shall, on the passage of this act, vest in Goodlett Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for the collection of delinquent taxes; providing for taking scholastic census; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision hereof, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 80, A bill to be entitled "An Act amending Article 6267 of the Revised Civil Statutes of 1911 as amended, and amending Chapter 2, Title 105, Revised Civil Statutes of 1911, by inserting therein Article 6267a, said articles relating to pensions; authorizing

and directing the collection of the increased amount of taxes under Section 51 of Article III of the State Constitution as amended; amending the statutes so as to conform to the purpose and intent and the authority granted in said section of the Constitution as amended; repealing Chapter 86 of the General Laws of the Regular Session of the Thirty-sixth Legislature and all laws and parts of laws in conflict with this act; providing the rule of construction in event any part of this act should be held to be invalid, and declaring an emergency."

S. B. No. 97, A bill to be entitled "An Act to amend Article 4712, Chapter 1, Title 71, of the Revised Civil Statutes of Texas of 1911, providing for the investment of surplus money of insurance companies; and also to amend Article 4734, Chapter 2, Title 71, of the Revised Civil Statutes of Texas of 1911, prescribing and defining the securities in which the funds of life insurance companies may be invested; and also to amend Article 4776, Chapter 3, Title 71, of the Revised Civil Statutes of Texas of 1911; defining 'Texas Securities' in which the 'Texas Reserves' of foreign life insurance companies doing business in the State of Texas must be invested; and also to amend Article 4811, Chapter 6, Title 71, of the Revised Civil Statutes of Texas of 1911, defining and prescribing the character of securities in which co-operative life insurance companies organized under the laws of Texas may invest their funds."

S. B. No. 305, A bill to be entitled "An Act to prohibit the doing of the acts hereinafter recited, and to declare them to be offenses; and defining and fixing penalties for violation of the provisions of this act, and declaring an emergency; (a) going into or near any public place masked or disguised, and defining public place; (b) going masked or disguised into or near any private house, or who demand or seek entrance therein, or disturb the inhabitants thereof; (c) going masked into a church or other place where people are assembled for religious purposes or services; (d) the acting in concert of two or more persons when masked or disguised, or the aiding or abetting by said persons of each other, and the assaulting when so in disguise by such person of any other person, or the false imprisonment by such person of any other person; (e) the parading of any secret society or organization, or a part of the members

thereof, when masked or disguised upon or along any public road, or any street or alley of any city or town of this State, and declaring equally guilty other members of such society who aid, abet or encourage such parading, and declaring an emergency."

H. C. R. No. 18, Relating to an extension of time to be made by the Internal Revenue Department in the case of Senators and members of House of Representatives.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 97 ON SECOND READING.

On motion of Mr. Wallace, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 97, A bill to be entitled "An Act to appropriate two million dollars (\$2,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1925, and ending August 31, 1926, and two million dollars (\$2,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1926, and ending August 31, 1927, the same to be distributed as the available school fund is now distributed, and create an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Wallace offered the following (committee) amendments to the bill:

Amend House bill No. 97 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. For the purpose of promoting and aiding all of the public schools of this State, one million dollars (\$1,000,000), or so much thereof as may be necessary to make available the sum of fifteen dollars (\$15) per capita, is hereby appropriated out of the general revenue fund of the State Treasury not otherwise appropriated, same to be added to the available school fund for the scholastic year beginning September 1, 1925, and ending August 31, 1926; and for the purpose of promoting and aiding all of the public schools of this State, the further sum of three million dollars (\$3,000,000), or so much thereof as may be necessary to make available the sum of fifteen dollars (\$15) per capita, is hereby appropriated out of the general fund which may be in the State Treasury not otherwise appropriated, which shall be added to the available school

fund for the scholastic year beginning September 1, 1926, and ending August 31, 1927; and each year the amount herein appropriated shall be distributed in strict accordance with the methods prescribed by law for the distribution of the available school fund of the State. It being the purpose of this act to appropriate all of said sum of three million dollars (\$3,000,000), if necessary to produce sufficient funds to provide a per capita apportionment of fifteen dollars (\$15), and only a portion thereof should it result that the sum of fifteen dollars (\$15) per capita may be made available by the use of less than the sum of three million dollars (\$3,000,000).

Sec. 2. The fact that the regular constitutional sources of revenue for the State available school fund are not adequate to properly finance the schools and the crowded condition of the calendar create an emergency and imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days, and such rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Amend House bill No. 97 by striking out all above the enacting clause, and insert in lieu thereof the following:

"A bill to be entitled 'An Act to appropriate one million dollars (\$1,000,000), or so much thereof as may be necessary out of the general revenue funds of the State, to be used in aid of all of the public schools of the State for the scholastic year beginning September 1, 1925, and ending August 31, 1926; also three million dollars (\$3,000,000), or so much thereof as may be necessary to make available fifteen dollars (\$15) per capita, out of the general fund of the State to be used in aid of all of the public schools for the scholastic year beginning September 1, 1926, and ending August 31, 1927, same to be distributed in the manner now provided for the distribution of the available school fund, and creating an emergency.'"

The amendments were severally adopted.

House bill No. 97 was then passed to engrossment.

HOUSE BILL NO. 97 ON THIRD READING.

Mr. Wallace moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Kinnear.
Acker.	Kittrell.
Albritton.	Laird.
Alexander	Lane of Hamilton.
of Limestone.	Loftin.
Amsler.	Low.
Avis.	Mankin.
Baker of Orange.	Maxwell.
Baker of Panola.	McBride.
Barron.	McDougald.
Bateman.	McFarlane.
Bean.	McGill.
Bedford.	McNatt.
Bird.	Merritt.
Blount.	Moore.
Bobbitt.	Parish.
Boggs.	Pavlica.
Brown.	Pearce.
Bryant.	Perdue.
Carter.	Petsch.
Chitwood.	Poage.
Coffey.	Pool.
Conway.	Pope.
Coody.	Powell.
Covey.	Raymer.
Cox of Lamar.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Daniels.	Rogers.
Davis of Dallas.	Rowell.
Davis of Wood.	Runge.
DeBerry.	Shearer.
Dielmann.	Sheats.
Donnell.	Simmons.
Downs.	Sinks.
Dunn of Falls.	Sparks.
Dunn of Hopkins.	Stell.
Durham.	Stevens.
Enderby.	Stevenson.
Fields.	Storey.
Finlay.	Stout.
Foster.	Strong.
Gray.	Thompson.
Hagaman.	Tomme.
Hall.	Veatch.
Harper.	Wallace.
High.	Webb.
Hoskins.	Wells.
Jordan.	Westbrook.
Justice.	Wester.
King.	Young.

Nays—8.

Alexander	Kayton.
of Bastrop.	Stautzenberger.
Bartlett.	Walker.
Cade.	Wilson.
Farrar.	

Absent.

Atkinson.	Cox of Navarro.
Barker.	Dinkle.
Bonham.	Dunlap.

Faulk.	McDonald.
Florence.	McKean.
Frnka.	Montgomery.
Graves.	Nicholson.
Harman.	Purl.
Hollowell.	Rawlins.
Houston.	Rowland.
Hull.	Sanford.
Irwin.	Simpson.
Jacks.	Smith of Nueces.
Jasper.	Smith of Travis.
Johnson.	Smyth.
Jones.	Taylor.
Kemble.	Teer.
Kenyon.	Wade.
Lane of Harrison.	Williamson.
Lipscomb.	Woodruff.
Masterson.	

The Speaker then laid House bill No. 97 before the House on its third reading and final passage.

The bill was read third time and was passed.

ADJOURNMENT.

Mr. Chitwood moved that the House adjourn until 11:50 o'clock a. m. Thursday.

Mr. Hall moved that the House recess to 3 o'clock p. m. today.

Question first recurring on the motion to adjourn, yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—61.

Acker.	Justice.
Amsler.	Kayton.
Atkinson.	Kittrell.
Baker of Orange.	Laird.
Baker of Panola.	Loftin.
Barker.	Low.
Barron.	Mankin.
Bateman.	Merritt.
Bean.	Moore.
Bird.	Pavlica.
Boggs.	Pearce.
Brown.	Petsch.
Bryant.	Powell.
Cade.	Renfro.
Coffey.	Rice.
Coody.	Rogers.
Covey.	Runge.
Cox of Lamar.	Sanford.
Cox of Navarro.	Shearer.
Dale.	Simmons.
Davis of Wood.	Sinks.
Dielmann.	Smyth.
Downs.	Stautzenberger.
Dunn of Falls.	Stevens.
Enderby.	Storey.
Finlay.	Strong.
Gray.	Thompson.
Hagaman.	Walker.
Harper.	Wallace.

Wester. Wilson.	Young. Nays—53.	Taylor. Tomme. Veatch.	Webb. Wells. Westbrook.
Albritton. Alexander of Bastrop. Alexander of Limestone. Avis. Bartlett. Bedford. Bobbitt. Bonham. Carter. Chitwood. Conway. Cummings. Donnell. Farrar. Fields. Florence. Foster. Hall. High. Hoskins. Jordan. Kemble.	King. Kinnear. Lane of Hamilton. McBride. McDonald. McDougald. McFarlane. McGill. McKean. McNatt. Montgomery. Parish. Perdue. Poage. Pool. Pope. Raymer. Robinson. Rowland. Sheats. Sparks. Stell. Stevenson. Stout.	Blount. Daniels. Davis of Dallas. DeBerry. Dinkle. Dunlap. Dunn of Hopkins. Durham. Faulk. Frnka. Graves. Harman. Hollowell. Houston. Hull. Irwin. Jacks. Jasper.	Absent. Johnson. Jones. Kenyon. Lane of Harrison. Lipscomb. Masterson. Maxwell. Nicholson. Purl. Rawlins. Teer. Rowell. Simpson. Smith of Nueces. Smith of Travis. Wade. Williamson. Woodruff.

The House, accordingly, at 11:49
o'clock a. m. adjourned until 11:50
o'clock a. m. Thursday.

APPENDIX.

STATEMENT BY MR. BLOUNT.

On motion of Mr. Blount, the following statement relating to the available school fund was ordered printed in the Journal:

Austin, Texas, February 23, 1925.

Honorable Eugene H. Blount, Chairman, House Appropriation Committee, Thirty-ninth Legislature of Texas, Austin, Texas.

Dear Sir: Complying with your instructions, I have prepared and submit herewith the following described estimates for the guidance of yourself and the committee in respect of providing for the available school fund and the related matters of free text-book expenditures and the annual scholastic apportionment. As a matter of information, I have prepared and attach next hereunder a summary of the account of the available school fund for the fiscal year last past, which is to say the fiscal year ending August 31, 1924. This statement was compiled from the records in the office of the Comptroller and reflects the revenue from all sources for the most recent year. The sum of this revenue, exclusive of appropriation for general revenue, is \$18,002,755.54 and I have used this as a basis figure in the general estimates submitted, which are as follows:

Estimate "A" is calculated without allowance for any transfers from the available school fund to free text-book fund and without allowance for supplementary appropriations to be added to the available school fund from general revenue in either of the two fiscal years beginning September 1, 1925, and ending August 31, 1927.

Concerning this estimate, I would point out that with an unimportant difference it bears out the figures deduced as a final result as of September 1, 1927, in the statement prepared by you and printed some days ago in the House Journal. The difference is by reason of allowances found necessary by examining the Comptroller's records.

Estimate "B" is calculated, beginning with the indicated available balance in the fund at September 1, 1925, as shown in estimate "A," and thereafter allowing as a transferable sum the maximum expenditure of 7 cents per \$100 value as provided in the proposed new legislation, and no allowance for supple-

mentary appropriations from general revenue. The estimate shows the detail of the calculations on free text-book expenditure.

The result of this estimate, as may be seen, is an indicated deficit of \$4,576,290.23. The object of a calculation on this basis was to develop the amount probably necessary to be provided in the event text-book expenditure should be made at the maximum under the new law. This was apparent in the deficit indicated above.

Estimate "C" is calculated, as in the preceding estimate, beginning with the indicated available balance in the fund at September 1, 1925, as shown in estimate "A," with allowance annually of the maximum of text-book expenditure under the new law and with allowance for supplementary appropriations of \$1,000,000 for 1925-26 and \$3,000,000 for 1926-27.

The result of this, it will be observed, is an indicated unused and available balance of \$257,454.23 at September 1, 1926, and an indicated deficit of \$576,290.23 at September 1, 1927. I take the liberty of pointing out that this deficit will not occur, if indeed it occur at all, until seven months after the assembling of the Fortieth Legislature, and its existence or probability ought to be apparent by that time.

Estimate "D" is calculated upon the identical lines of the preceding estimate with the single exception that text-book expenditure is set in for each of the two years at \$1,532,530.61 which is the average annual cost of book supply for the five years following the institution of the system. This will be to cover the period from 1920-21 to 1924-25, inclusive.

It will be seen that to strike a fair average the first and high-cost year in which the expenditure was more than four million dollars was omitted, as it should have been, and the present year 1924-25 which, although more than usually high, was included.

Respectfully submitted,

GEO. ARMISTEAD, C. P. A.,
Special Auditor for the Committee.

AVAILABLE SCHOOL FUND.

Summary of 1923-1924—Account per Comptroller's Record.

Cash balance, September 1, 1923	\$	417,994.96	
Less outstanding warrants		49,081.94	\$ 368,913.02

Additions from Revenue.

From occupation taxes	\$	1,364,851.76	
From gasoline		806,314.87	
From interest on bonds of permanent fund:			
City, county and district bonds	\$1,072,427.35		
State bonds	128,720.00		
Railroad bonds	13,305.95	1,214,543.30	
From Comptroller's special audits		14,861.67	
From Comptroller's miscellaneous collections		14,318.62	
From interest on State deposits		52,501.53	
From interest on land sales		1,628,027.07	
From employment agency fees		2,534.63	
From Insurance Department:			
Gross receipts tax		399,235.65	
From tax collectors' statements		12,493,731.60	
From miscellaneous sources:			
Special letters	\$	1,741.78	
Other sources		30,125.50	31,867.28
From special appropriation	\$	2,000,000.00	
Total revenues for the year			\$20,022,787.98
Total			\$20,391,701.00

Depletions by Expenditure.

Warrants Drawn:

For support of public free schools	\$15,650,781.00
For interest accrued on bonds purchased by permanent fund	26,094.98
For refunds to purchasers and lessees of school lands	5,074.23

Transfers:

To general revenue	\$ 19,857.13	
On special letters	175.51	20,032.64

Total\$15,701,982.85

Net balance, August 31, 1924.....\$ 4,689,718.15

ESTIMATE "A."

Calculated Upon Basis No Transfers to Free Text-Book Funds, September 1, 1925, to September 1, 1927, and no Supplementary Appropriation From General Revenue During the Same Period.

FISCAL YEAR 1924-1925.

Balance to credit of available school fund, September 1, 1924, as per Treasurer's books.....\$ 4,701,605.53
Less outstanding warrants.....11,887.38

Net balance available.....\$ 4,689,718.15

Sum set aside by the Board of Education on July 12, 1924, for free text-book purposes of which all but \$1,098,875 has been transferred at February 1, 1925.....\$ 3,098,875.00

Leaving an unused surplus balance in the available school fund at the beginning of the present fiscal year, 1924-1925, of.....\$ 1,590,843.15

Income.

Estimating income to accrue to this fund during the present fiscal year, upon a basis of its accruals for the previous year, the following additions anticipated:

From gross receipts tax and occupation taxes....\$ 1,364,851.76
From gasoline tax.....806,314.87
From interest bonds of permanent fund:
City, county and district bonds..\$ 1,072,427.35
State bonds.....128,720.00
Railroad bonds.....13,395.95 \$1,214,543.30

From Comptroller's special audits.....\$ 14,861.67
From Comptroller's miscellaneous collections.....14,318.62
From interest on State deposits.....52,501.53
From interest on land sales.....1,628,027.07
From employment agency fees.....2,534.63
From Insurance Department—Gross receipts tax..399,235.65
From miscellaneous sources.....31,867.28
From tax collector's settlements.....12,473,698.96

Total addition to available school fund, not including appropriations from general revenue.....\$18,002,755.54

Appropriated from general revenue for fiscal year ending August 31, 1925, none of which had been transferred, February 1, 1925..\$2,000,000.00

Total probable resources of available school fund through the fiscal year ending August 31, 1925.....\$21,593,598.69

Disbursement.

Distribution in 1924-1925 to 1,321,600 scholastics at \$14 per capita	\$18,502,400.00
Unused surplus balance in available school fund at August 31, 1925, should be	\$ 3,091,198.69
Deduction for text-book requirements	
	\$ 3,091,198.69

FISCAL YEAR 1925-1926.

Estimated constitutional and related revenue (see preceding fiscal period)	\$18,002,755.54
Supplementary appropriation from general revenue	
Total probable resources of available school fund through fiscal year, ending August 31, 1926	\$21,093,954.23

Disbursement.

Distribution in 1925-1926 to 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Unused surplus balance in available school fund at August 31, 1926, should be	\$ 1,269,954.23
Deduction for text book requirements	
	\$ 1,269,954.23

FISCAL YEAR 1926-1927.

Estimated constitutional and related revenue (see preceding fiscal periods)	\$18,002,755.54
Supplementary appropriation from general revenue	
Total probable resources of available school fund through fiscal year ending August 31, 1927	\$19,272,709.77

Disbursement.

Distribution in 1926-1927 to 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated deficit at August 31, 1927	\$ 551,290.23

ESTIMATE "B."

Available School Fund.

Calculated Upon Basis: Balance As Shown in Estimate "A" for September 1, 1925, and Thereafter the Annual Maximum Sum Available for Text Books Under Seven Cent Limit To Be Provided in New Statute; No Supplementary Appropriation From General Revenue for This Period.

YEAR 1925-1926.

Balance brought forward from the year 1924-1925 at September 1, 1925, as per Estimate "A"	\$ 3,091,198.69
Estimated constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplementary appropriation from general revenue	
Total probable resources of available school fund for the fiscal year, ending August 31, 1926	\$21,093,954.23
Deduct amount to be transferred to free text book fund. Maximum of estimated income on \$3,450,000,000.00 valuation at seven cents less sixteen and two-thirds per cent	\$ 2,012,500.00
Remainder from which scholastic apportionment is to be made	\$19,081,454.23

Deduct annual scholastic apportionment, 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated deficit at the close of fiscal year 1925-1926	\$ 742,545.77

YEAR 1926-1927.

Estimated constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplementary appropriation from general revenue	
Total probable resources of available school fund for fiscal year, ending August 31, 1927	\$17,260,209.77
Deduct the amount to be transferred to free text book fund. Maximum at seven cents less sixteen and two-thirds per cent.	\$ 2,012,500.00
Remainder from which scholastic apportionment is to be made ...	\$15,247,709.77
Apply the annual scholastic apportionment 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated deficit at close of fiscal year 1926-1927	\$ 4,576,290.23

ESTIMATE "C."

Calculated Upon Basis: Balance As Shown in Estimate "A" for September 1, 1925, and Thereafter the Annual Maximum Sum Available for Text Books Under Seven Cent Limit To Be Provided in New Statute; With \$1,000,000.00 Supplemental Appropriation During 1925-1926 and \$3,000,000.00 Supplemental Appropriation During 1926-1927.

YEAR 1925-1926.

Balance brought forward from the year 1924-1925 at September 1, 1925, as per Estimate "A"	\$ 3,091,198.69
Estimate constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplemental appropriation from general revenue	\$ 1,000,000.00
Total probable resources of available school fund for the fiscal year ending August 31, 1926	\$22,093,954.23
Deduct amount to be transferred to free text book fund. Maximum of estimated income on \$3,450,000,000.00 valuation at seven cents less sixteen and two-thirds per cent.	\$ 2,012,500.00
Remainder from which scholastic apportionment is to be made ...	\$20,081,454.23
Deduct annual scholastic apportionment 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated Balance at the close of the fiscal year 1925-1926	\$ 257,454.23

YEAR 1926-1927.

Estimated constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplemental appropriation from general revenue	\$ 3,000,000.00
Total probable resources of available school fund for the fiscal year, ending August 31, 1927	\$21,260,209.77
Deduct amount to be transferred to free text book fund. Maximum at seven cents less sixteen and two-thirds per cent.	\$ 2,012,500.00
Remainder from which scholastic apportionment is to be made ...	\$19,247,709.77
Apply the annual scholastic apportionment 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated deficit at close of fiscal year 1926-1927	\$ 576,290.23

ESTIMATE "D."

Available School Fund.

Calculated upon basis: Balance as shown in Estimate "A" for September 1, 1925, plus constitutional and related revenue and a supplemental appropriation \$1,000,000.00 for 1925-1926 and \$3,000,000.00 for 1926-1927; less transfers to free text book fund at average annual expenditure for renewals, years 1920-1921 to 1924-1925, inclusive, or \$1,532,530.61, thus:

1920-1921—Actual	\$ 1,504,741.87
1921-1922—Actual	1,526,460.07
1922-1923—Actual	1,039,437.11
1923-1924—Actual	493,139.02
1924-1925—Estimated July 12, 1924, and set aside	3,098,875.00
Total for five years	\$ 7,662,653.07
Yearly average	\$ 1,532,530.61

YEAR 1925-1926.

Balance brought forward from the year 1924-1925 at September 1, 1925, as per Estimate "A"	\$ 3,091,198.69
Estimated annual constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplemental appropriation from general revenue	\$ 1,000,000.00
Total probable resources of available school fund for the fiscal year, ending August 31, 1926	\$22,093,954.23
Deduct amount to be transferred to free text book fund (yearly average as above)	\$ 1,532,530.61
Remainder from which scholastic apportionment is to be made	\$20,561,423.62
Deduct annual scholastic apportionment 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated unused balance at the close of fiscal year 1925-1926	\$ 737,423.62

YEAR 1926-1927.

Estimated annual constitutional and related revenue as per Estimate "A" for preceding fiscal periods	\$18,002,755.54
Supplemental appropriation from general revenue	3,000,000.00
Total probable resources of available school fund for the fiscal year, ending August 31, 1927	\$21,740,179.16
Deduct amount to be transferred to free text book fund (yearly average as above)	\$ 1,532,530.61
Remainder from which scholastic apportionment is to be made	\$20,207,648.55
Deduct annual scholastic apportionment 1,321,600 scholastics at \$15 per capita	\$19,824,000.00
Estimated unused balance at the close of fiscal year 1926-1927	\$ 383,648.55